

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:17-cv-00594-FDW-DSC

SUNBELT RENTALS, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	PRELIMINARY INJUNCTION ORDER
JEREMY GHENT,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

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THIS MATTER is before the Court on Plaintiff Sunbelt Rentals, Inc.’s (“Plaintiff” or “Sunbelt”) Motion for Temporary Restraining Order and Preliminary Injunction (Doc. No. 9). On October 10, 2017, this Court denied Plaintiff’s Motion for Temporary Restraining Order and deferred ruling on Plaintiff’s Motion for Preliminary Injunction until after a hearing on the Motion. On October 16, 2017, the Court received evidence and heard argument from counsel on Plaintiff’s Motion for Preliminary Injunction. The Court has considered the written and oral arguments of counsel as well as the pleadings, affidavits, exhibits, and other documentary evidence presented in the submission.

IT IS ORDERED AND ADJUDGED:

1. Plaintiff’s Motion for Preliminary Injunction pursuant to the Federal Defend Trade Secrets Act, the North Carolina Trade Secrets Protection Act, and the non-disclosure clause of defendant Jeremy Ghent’s (“Mr. Ghent”) Employment Agreement with Sunbelt is hereby DENIED AS MOOT and without prejudice, pursuant to the parties’ stated intention to enter into an agreement governing the return of Plaintiff’s trade secret and confidential information retained

by Defendant and verification of the same. This ruling is subject to reconsideration upon either party's request.

2. Sunbelt's Motion for Preliminary Injunction pursuant to the non-competition and non-solicitation provisions of Mr. Ghent's Employment Agreement is hereby GRANTED. Until and through September 18, 2018, or subject to further Order of the Court, Mr. Ghent is restrained and enjoined from engaging in or performing any and all of the following acts:


a. soliciting or providing services for any future jobs competitive to the current business performed at Sunbelt's PC 022, located at 7205 Statesville Road, Charlotte, North Carolina 28269 ("PC 022"), where the job to be performed is physically located within a fifty (50) mile radius of PC 022; provided, Mr. Ghent is not prohibited from working from his home; or

b. soliciting work competitive to the current business performed at Sunbelt's PC 022 from any person or entity, located within a fifty (50) mile radius of Sunbelt's PC 022, who purchased or leased products or services from Sunbelt, through Mr. Ghent, at any time during the twelve (12) calendar months immediately preceding Mr. Ghent's resignation of employment with Sunbelt on September 18, 2017.

3. Pursuant to Federal Rule of Civil Procedure 65(c), within five (5) days of this Order, Sunbelt shall post a surety bond in the amount of Twenty Thousand Dollars (\$20,000.00) with the Clerk of the Court, for the duration of the preliminary injunction.

IT IS SO ORDERED.

Signed: October 24, 2017

  
Frank D. Whitney  
Chief United States District Judge

